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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Planetary Association for Clean Energy, Inc., a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s)

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The Right to Freedom of Peaceful Assembly and of Association of Indigenous Peoples

Thank you,Mr. President,

The Planetary Association for Clean Energy would like to make the following statement that is also co-signed by Roger Fleury, Chief of the Off-Reserve Algonquin of Fort-Coulonge, Québec, Canada

Whereas, the United Nations Declaration on the Rights of Indigenous Peoples affirms that that all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences are racist, scientifically false, legally invalid, morally condemnable and socially unjust;

and,

Whereas, the Declaration in Article 9 states that Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions
and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

and,

Whereas, the Declaration in Article 10 states that Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return;

and,

Whereas, the Declaration in Article 11.1 states that Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature;

and,

Whereas, the Declaration in Article 11.2 affirms that States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs;

and,

Whereas, the Declaration in Article 12.1 affirms that Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects;

and,

Whereas, the Royal Canadian Mounted Police on 22 May 2015, at the behest of the federal National Capital Commission, sought to remove Indigenous people while in ceremony, in peaceful assembly and association. These Indigenous people, namely Susan Martin, and others seek a national inquiry on over 1,200 Murdered and Missing Indigenous Women (MMIW), and Kakishayhowetaytahkosit (Jocelyn Iahtail) in support of the MMIW inquiry and the vision of elders, notably Grandfather William Commanda, to free Chaudière Falls, create a National Indigenous Centre,

and a central park on Chaudière Island between the Provinces of Ontario and Québec. The manifestation of this vision will permit the proper place for sacred worship at these falls of the pipe bowl, which has been denied for generations, and for the peaceable governance and meeting of many nations to preserve the land and its creatures, as has been the case since time immemorial.

Whereas, the United Nations Human Rights Council will be discussing health, which is a key aim of the proposed National Indigenous Centre regarding the creation of an Aboriginal Healing Centre.

Whereas, the United Nations Human Rights Council will be discussing the right to freedom of peaceful assembly and of association, and the recent actions of the Canadian federal government is an interference in peaceful assembly;

Whereas, the United Nations Human Rights Council will be discussing freedom of expression and the recent actions of the Canadian federal government is an interference in freedom of expression;

Whereas, the United Nations Human Rights Council will be discussing discrimination against women and violence against women and the recent actions of the Canadian federal government is an interference in the rights of indigenous women who are peacefully seeking justice regarding women and girls who have been discriminated against and who have been violently affected.

We ask that the United Nations Human Rights Council take note that the Government of Canada intervened in breach of the Declaration, to which Canada is a state party, by interfering in the practice of the ceremonies, notably the sacred fire, and continues to seek their removal.

Thank you Mr President.